
Public Utilities Commission of the State of California

William Ahern, Executive Director

Headquarters

505 Van Ness Avenue
San Francisco, CA 94102
(415) 703-2782

Southern California Office

320 West 4th Street, Suite 500
Los Angeles, CA 90013
(213) 576-7000

Website: <http://www.cpuc.ca.gov>

Calendar Archive: http://www.cpuc.ca.gov/daily_calendar_archive/

Daily Calendar Wednesday, October 1, 2003

- Commission Meetings
- Notices
- Subscription Information (Daily Calendar and Agenda)
- Commissioner Office Hours
- Public Meetings and Workshops
- Notice of Draft Resolutions (PU Code § 311(g))
- New Filings
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- Draft Decisions/Proposed Decisions/Alternates/Presiding Officer's Decisions/
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- Adjournments/Resettings/Hearings Concluded
- Removals from Calendar
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- Notice of Denial of Request for Ex Parte Meeting
- Notice of All-Party Meetings (PU Code §1701.3(c))
- Notice of Ex Parte Communications



The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. Please see the *Notice to People With Disabilities* section on page two of this Daily Calendar for further information.

REGULAR COMMISSION BUSINESS MEETINGS

October 2, 2003	10 am	San Francisco
October 16, 2003	10 am	San Francisco
October 30, 2003	10 am	San Francisco

COMMISSION RATESETTING DELIBERATIVE MEETINGS

(Not Open to the Public)

Ratesetting Deliberative Meeting dates are reserved as noted but will only be held if there are ratesetting matters to be considered.

October 10, 2003	1:30 pm	San Francisco
October 27, 2003	1:30 pm	San Francisco
November 7, 2003	1:30 pm	San Francisco

OTHER COMMISSION MEETINGS

NONE

NOTICE TO PEOPLE WITH DISABILITIES

The CPUC encourages all Californians to participate in its meetings, hearings, workshops, and proceedings. We try to hold our public meetings only in places that are wheelchair accessible and which can accommodate specialized equipment and other services useful to people with disabilities. Please see the notice of the meeting you wish to attend for more specifics.

If you plan to attend and need specialized accommodations for a particular meeting that are not listed in the notice, request them from the Public Advisor's Office at least three business days in advance of the meeting. Contact the Public Advisor's Office by any one of the following:

- e-mail: public.advisor@cpuc.ca.gov
toll-free: 1-866-849-8390
Voice: 415-703-2074
FAX: 415-355-5404 (Attn.: Public Advisor)
TTY: 1-866-836-7825 (toll-free)
1-415-703-5282

NOTICES

Delivery of Formal Pleadings for Filing

Unless otherwise directed, all courier-delivered documents submitted for filing as part of the formal record in a proceeding should be hand-carried directly to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue in San Francisco; Suite 500, 320 West

4th Street in Los Angeles; or Room 4006, 1350 Front Street in San Diego. All documents sent through the mail for formal filing should be addressed ONLY to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue, San Francisco, CA 94102.

Charge for Commission Documents

To purchase Commission documents, there is a charge of 20 cents a printed page (postage prepaid) with a minimum purchase of \$2.00.

Commission Resources Available for Rental

The auditorium, hearing rooms and training room at the headquarters of the California Public Utilities Commission, located at 505 Van Ness Avenue, San Francisco, are available for rent. Further information about requirements and fees can be obtained by contacting Colette Kondo at (415) 703-1401.

SUBSCRIPTION INFORMATION

Subscription Notice for Draft Agenda Items

In compliance with Public Utilities Code Section 311.5, parties who wish to subscribe to receive draft agenda items may do so by writing to the Public Utilities Commission; Attention: Poly Arca, Room 1003, 505 Van Ness Avenue, San Francisco, CA 94102, or by calling (415) 703-1798. The cost for a one-year subscription to the entire public agenda package (which excludes Executive Session materials) is \$1,000. You may also order a partial agenda package (energy agenda items only or telecommunication agenda items only) at the cost of \$500 per year. The package you receive via mail will include only those agenda items available at the time of the agenda distribution date, which is usually 10 to 12 days prior to the Commission meeting. If agenda items (including revisions) are not ready on the distribution date, they will be made available at no charge in the lobby outside the Commission Auditorium at 9:00 a.m. on the morning of the Commission meeting, but not earlier.

In addition, the Commission will make draft agenda items available for viewing and photocopying (at 20 cents per page) at the Commission's Central Files Office (Room 2002), 505 Van Ness Avenue, San Francisco, and in the Los Angeles, San Diego, and Sacramento field offices. Since the agenda package will be mailed to these locations, it will be available at these locations a day or two after the distribution date. These locations will not receive agenda items that are not ready on the distribution date.

If an agenda item is held over to a subsequent Commission meeting, that agenda item and any revisions to that agenda item that were available on the morning of the initial Commission meeting (as well as any further available revisions) will be mailed in the Escutia package for the subsequent Commission meeting; the item and its revisions will also be available for viewing and photocopying in the Commission's Central Files Office and field offices as set forth above.

Intervenors who have a financial hardship determination pending or granted shall be eligible to receive draft agenda item packets at no charge.

The cost to receive the agenda only, without copies of draft agenda items, remains at \$75 per year.

Subscription Notice for Daily Calendar and/or Agenda

Parties who wish to subscribe to the Daily Calendar and/or the Agenda may do so by writing to the Public Utilities Commission; Attention: Poly Arca, Room 1003, 505 Van Ness Avenue, San Francisco, CA 94102, or by calling (415) 703-1798. The subscription cost for the Daily Calendar is \$225 per year. The Biweekly Daily Calendar is \$50 per year. The Agenda is \$75 per year. Checks are to be made payable to the Public Utilities Commission.

COMMISSIONER OFFICE HOURS

NONE

PUBLIC MEETING & WORKSHOPS**Workshop Notice (R03-09-005) Modification of the Rate Case Plan for Class A Water Utility General Rate Application (Continuation)**

October 2, 2003
9 am - 4 pm

Public Utilities Commission
505 Van Ness Avenue, Room 3104
San Francisco

The purpose of the workshop is two fold:

To identify the least controversial issues in the Draft Proposed Rate Case Plan for Class A Water Utility General Rate Applications prepared by the Water Division and; to discuss the necessary components of an interim rate case plan schedule for year 2004.

For your information, the Draft Proposed Rate Case Plan for Class A Water Utility General Rate Applications can be found on the Commission website at <http://www.cpuc.ca.gov>. (Go to the "Regulated Areas," select "Water" and scroll down to "Helpful Links.")

Questions regarding the workshop should be addressed to Peter Liu of the Water Division at (415) 703-1390 (ptl@cpuc.ca.gov).

Public Meeting Notice – Deaf and Disabled Telecommunications Program

Telecommunications Access for the Deaf and
Disabled Administrative Committee
October 7, 2003
10 am - 4 pm

DDTP Office
505 14th Street, Suite 400
Oakland

The Telecommunications Access for the Deaf and Disabled Administrative Committee will hold a meeting to address the following:

PUBLIC MEETING AGENDA

I. Minutes of the September 9, 2003 TADDAC Meeting, Review and follow-up on Action List from previous meeting, II. Approval of Agenda, III. Administrative Business, A.

Public Input, B. Report from the Chair, C. Report from CPUC Staff, IV. Program Department Reports, A. Equipment Program Department Report, B. CRS Department Report, C. Marketing Department Report, D. Outreach Department Report, E. Field Operations Department Report, F. Customer Contact Department Report, V. Unfinished Business, A. Proposed Procedure Regarding Proxies, B. Policy on Conference and Convention Attendance, C. Subcommittee for CRS Implementation Issues, D. Review of Sprint CRS Invoices, E. New Conflict of Interest and Disclosure Form, F. Presentation on 911, G. Review of Issues Related to Subcommittees, H. Proposed Representative from the Low Vision Community, I. Petition to Modify Resolution T-16703, VI. New Business, A. Presentation from Verizon, B. Recommendations from CRSAC, and C. Recommendations from EPAC.

For additional information, please call Jane Elin, DDTP Committee Coordinator, at (510) 302-1100 ext 110 VOICE, (510) 302-1118 TTY, or e-mail her at jelin@ddtp.org. If you plan to attend the meeting and need sign language interpreters or other special communication accommodations, please call the DDTP office at least 5 days prior to the meeting.

Environmental Notice

People with environmental illness or multiple chemical sensitivities must reduce their exposure in order to attend this meeting. Please refrain from wearing perfumes or scents to DDTP meetings.

Public Workshop Notice (R01-08-028) - The Potential for Energy Efficiency (PLEASE NOTE: New Date and Location – Revised as of 9/25/03)

October 8, 2003
10 am – 4 pm

California Public Utilities Commission
505 Van Ness Avenue, Auditorium
San Francisco

Commission Staff along with the California Energy Commission and the California Power Authority will host a workshop to define the potential for energy efficiency programs in California to maximize energy savings over the next five to ten years. The intent of the workshop is to get input from parties interested in energy efficiency, including research and development companies, energy service companies, utilities, equipment vendors, program designers, building science researchers, appliance manufacturers and building energy managers to help identify new measures or energy management systems that could provide California customers with significant energy savings over the next five to ten years. The July 3rd Assigned Commissioner's Ruling in R01-08-028 identified this as one of several topics to be resolved. No teleconference access has been established for this meeting. The location is wheelchair accessible. Contact: Lainie Motamedi at (415) 703-1764 or lrn@cpuc.ca.gov <<mailto:lrn@cpuc.ca.gov>>.

Public Meeting Notice – Deaf and Disabled Telecommunications Program

Equipment Program Advisory Committee
(EPAC)
October 8 & 9, 2003

Deaf & Disabled Telecommunications
Program Offices
505 14th Street, Suite 400

10 am–4 pm	Conference Room Oakland
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The EPAC of the Deaf and Disabled Telecommunications Program will hold a meeting to address the following:

Public Meeting Agenda

October 8 and 9, 2003

October 8, 2003. I. Administrative Business,A. Agenda Modification and Approval,B. Review of Action List Items ,C. Equipment Program Presentations, 1.HITEC, Michele Ahlman and Richard Uzuanis, Amplified Telephone Technology,2.Krown, Bryan Davis, Braille TTY and New Graphic Display, D. EPAC Committee Interviews for Deaf and Disabled Seats. October 9, 2003, 1.Administrative Business,A. Review of Minutes from the Previous Meeting,B. Report from the Chair, C.CCAF Staff Reports,a. Consumer Affairs Report,b. Consumer Contact Report,c. Field Operations Report,d. Marketing Report,e. Outreach Report,f. CRS Report,g. Equipment Program Report,D. CPUC Liaison Report,E.Public Input,F. Vendor Presentation: Silent Call, George Elwell, Signal Alert, G. Discussion of Augmentative Communication Devices,H. Discussion of Interviews for Disabled and Deaf Community Representatives,I. Appointment of Two New Voting Seats,J. Discussion of The Web Camera Trial,K. Equipment Update ,L. Representative to CRSAC,M. Representative to TADDAC,N. Other Business,A. Member Reports,B. Requests for invention, C. Suggested items for next month's agenda, D.Future meetings

Meeting Information: For more information, please contact Jane Elin, DDTP Committee Coordinator at (510) 302-1100 x110 voice or (510) 302-1118 TTY.)

Environmental Notice: People with environmental illness or multiple chemical sensitivities must reduce their exposure in order to attend this meeting. Please refrain from wearing perfumes or scents to DDTP meetings.

Public Meeting Notice - Public Payphone Programs

Payphone Service Providers Advisory Committee October 14, 2003 10 am - 1 pm	Public Utilities Commission 505 Van Ness Avenue, Room 4206 San Francisco
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The Payphone Service Providers Committee (PSPC) will hold its regular meeting for the Payphone Service Providers Enforcement (PSPE) program, the Public Policy Payphone Program (PPPP), and the TDD Placement Interim Committee (TPIC) to discuss the following:

Hear Public Comments

Review/Approve June 4, 2003 Meeting Minutes

Review/Discuss Unfinished Business

Government Code 1090/Conflict of Interest Issue

Signing of Charter

PPPP Application Follow-up: Our Lady of Malibu and City of Paso Robles

PSPE Process For Submitting PPPP Applications to PSPC

Roster Amendment

Telecommunications Devices for the Deaf Organization List Follow-up

PSPE/PPPP/TPIC Financials and Staffing

Program Financials

2004-2005 State Budget

TPIC Application Review and Discussion

Request for TTY Application for City of Visalia

PPPP New Application Review and Discussion

Snowline

Novato Fire Department

PSPE Discussion

Staffing

Status of New CLECs (3)

Payphone Inspection Report

2003 Payphone Line Count Report

Payphone Signage Requirement As Outlined in Tariffs

Quarterly Report to the Commission

Set Future Agenda Items

The Board will meet in Closed Session to: Review Personnel Issues.

The general meeting is open to the public. The Board reserves the right to limit the time allocated to public comments and each speaker. If you would like to receive an agenda or full meeting packets, please notify the PSPE office at (415) 703-2071 voice or 1 (800) 229-6846 TTY or e-mail wel@cpuc.ca.gov.

Deaf/Hearing Impaired Notice: Deaf/Hearing Impaired Sign Language Services will be available for the duration of the PSpC meeting.

NOTICE OF DRAFT RESOLUTIONS
(Pursuant to PU Code § 311(g))

The draft Resolution T16776 granting to INFO LINE of Los Angeles authority to use the 2-1-1 dialing code for health and human services information and referral service in Los Angeles County is available at the Commission's web site:

http://www.cpuc.ca.gov/PUBLISHED/COMMENT_RESOLUTION/29317.htm.

Contact person: Bob Benjamin @ (415) 703-1069 or bkb@cpuc.ca.gov.

NOTICE OF RESOLUTION TO DISCLOSE INVESTIGATIVE REPORT

Draft Resolution Authorizing Disclosure of Commission Consumer Services Division (Utilities Safety Branch) Records Pursuant to General Order 66-C Request by Anthony Hopkins, Esq., on behalf of Keith and Nicolle Cooper, seeking disclosure of Commission staff investigative records relating to an electric shock of Mr. Cooper on March 28, 2001 at 7326 Irwingrove Avenue, Downey, California (Incident No. EIR20010328-01).

A draft resolution (L-304) by the Legal Division authorizing disclosure of the Utilities

Safety Branch's investigative report concerning Incident No. EIR20010328-01, is scheduled for consideration on the October 16, 2003 Commission meeting agenda. The Commission may vote on this resolution at that time, or it may postpone a vote. The Commission may adopt all or part of L-304, amend or modify it, or set it aside and prepare a different resolution.

On September 16, 2003, the draft resolution was circulated to the requesting party and the subject utility, Pacific Gas and Electric, pursuant to Public Utilities Code Section 311(g) and Rules 77.7 and 81 of the Commission's Rules of Practice and Procedure. Interested parties may review the draft resolution and service list at the "Currently Open for Comment" section of the Commission's Internet site at cpuc.ca.gov.

The Commission will consider the draft resolution at its October 16, 2003 meeting. Interested parties may file comments on the draft resolution, and may file replies to comments. An original and 2 copies of comments must be filed with the Legal Division by October 6, 2003, at the address set forth below. Reply comments must be filed by October 14, 2003. Commenters must also serve comments, and reply comments, on the service list, and send copies of comments and reply comments by electronic mail to the e-mail address below. Comments shall focus on factual, legal or technical error in the draft resolution, and reply comments shall be limited to identifying misrepresentations of law and fact contained in the comments of other parties. (Rule 77.7.) Parties may view comments at the Commission's San Francisco Office.

Jason Reiger
Legal Division
California Public Utilities Commission
505 Van Ness Avenue, Room 5125
San Francisco, CA 94102
Telephone: (415) 355-5596 E-mail: jzr@cpuc.ca.gov

NOTICE OF RESOLUTION TO DISCLOSE INVESTIGATIVE REPORT

Draft Resolution Authorizing Disclosure of Commission Consumer Services Division (Utilities Safety Branch) Records Pursuant to General Order 66-C Requests by Kevin Downes, Esq., on behalf of Ted W. Page Enterprises, Inc., and Alison Mathews, Esq., on behalf of Andrew M. Worswick and Gail E. Drayton, seeking disclosure of Commission staff investigative records relating to a fire and explosion on March 1, 2002 at 1319 Palisades Beach Road, Santa Monica, California (Incident No. GIR20020301-01).

A draft resolution (L-305) by the Legal Division authorizing disclosure of the Utilities Safety Branch's investigative report concerning Incident No. GIR20020301-01, is scheduled for consideration on the October 16, 2003 Commission meeting agenda. The Commission may vote on this resolution at that time, or it may postpone a vote. The Commission may adopt all or part of L-305, amend or modify it, or set it aside and prepare a different resolution.

On September 16, 2003, the draft resolution was circulated to the requesting party and the subject utility, Southern California Gas Company, pursuant to Public Utilities Code

Section 311(g) and Rules 77.7 and 81 of the Commission's Rules of Practice and Procedure. Interested parties may review the draft resolution and service list at the "Currently Open for Comment" section of the Commission's Internet site at cpuc.ca.gov. The Commission will consider the draft resolution at its October 16, 2003 meeting. Interested parties may file comments on the draft resolution, and may file replies to comments. An original and 2 copies of comments must be filed with the Legal Division by October 6, 2003, at the address set forth below. Reply comments must be filed by October 14, 2003. Commenters must also serve comments, and reply comments, on the service list, and send copies of comments and reply comments by electronic mail to the e-mail address below. Comments shall focus on factual, legal or technical error in the draft resolution, and reply comments shall be limited to identifying misrepresentations of law and fact contained in the comments of other parties. (Rule 77.7.) Parties may view comments at the Commission's San Francisco Office.

Jason Reiger
Legal Division
California Public Utilities Commission
505 Van Ness Avenue, Room 5125
San Francisco, CA 94102
Telephone: (415) 355-5596 E-mail: jzr@cpuc.ca.gov

The Telecommunications Division has prepared Resolution T-16771 for the October 30, 2003, Commission Agenda. This resolution authorizes The Ponderosa Telephone Company \$3,774,297 in California High Cost Fund-A (CHCF-A) support for test year 2004. The draft resolution of the Telecommunications Division in this matter was mailed to parties in accordance with PUC Code Section 311 (g)(1). Any questions or comments should be directed to:

Larry Hirsch
Telecommunications Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30232.doc

The Telecommunications Division has prepared Resolution T-16755 for the October 30, 2003, Commission Agenda. This resolution authorizes The Pinnacles Telephone Company \$300,400 in California High Cost Fund-A (CHCF-A) support for test year 2004. The draft resolution of the Telecommunications Division in this matter was mailed to parties in accordance with PUC Code Section 311 (g)(1). Any questions or comments should be directed to:

Jerry Shiu
Telecommunications Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102 or (415) 703-1233

http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30220.doc

The Telecommunications Division has prepared Resolution T-16764 for the October 30, 2003, Commission Agenda. This resolution authorizes The Ducor Telephone Company \$1,907,645 in California High Cost Fund-A (CHCF-A) support for test year 2004. The draft resolution of the Telecommunications Division in this matter was mailed to parties in accordance with PUC Code Section 311 (g)(1).

Any questions or comments should be directed to:

Eric Van Wambeke
Telecommunications Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102 or (415) 703-2896

http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30228.doc

The Telecommunications Division has prepared Resolution T-16762 for the October 30, 2003, Commission Agenda. This resolution authorizes The Cal-Ore Telephone Company \$1,620,332 in California High Cost Fund-A (CHCF-A) support for test year 2004. The draft resolution of the Telecommunications Division in this matter was mailed to parties in accordance with PUC Code Section 311 (g)(1).

Any questions or comments should be directed to:

Rudy Sastra
Telecommunications Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102 or (415) 703-2673

http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30226.doc

The Telecommunications Division has prepared Resolution T-16756 for the October 30, 2003, Commission Agenda. This resolution authorizes The Calaveras Telephone Company \$1,408,640 in California High Cost Fund-A (CHCF-A) support for test year 2004. The draft resolution of the Telecommunications Division in this matter was mailed to parties in

accordance with PUC Code Section 311 (g)(1).

Any questions or comments should be directed to:

Nazmeen Rahman
Telecommunications Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102 or (415) 703-1625

http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30222.doc

The Telecommunications Division has prepared Resolution T-16773 for the October 30, 2003, Commission Agenda. This resolution accepts Verizon's annual intrastate earnings advice letter filing, subject to any corrections or adjustments. The draft resolution of the Telecommunications Division in this matter was mailed to parties in accordance with PUC Code Section 311 (g)(1).

Any questions or comments should be directed to:

Charles Christiansen
Telecommunications Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102 or (415) 703-1901

http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30243.doc

The Telecommunications Division has prepared Resolution T-16774 for the October 30, 2003, Commission Agenda. This resolution accepts Citizen Telecommunications Company's annual intrastate shareable earnings advice letter filing, subject to any corrections or adjustments. The draft resolution of the Telecommunications Division in this matter was mailed to parties in accordance with PUC Code Section 311 (g)(1).

Any questions or comments should be directed to:

Charles Christiansen
Telecommunications Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102 or (415) 703-1901

http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30248.doc

The Telecommunications Division has prepared Resolution T-16772 for the October 30, 2003, Commission Agenda. This resolution accepts SBC's annual earnings advice letter filing, subject to any corrections or adjustments. The draft resolution of the Telecommunications Division in this matter was mailed to parties in accordance with PUC Code Section 311 (g)(1).

Any questions or comments should be directed to:

Charles Christiansen
Telecommunications Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102 or (415) 703-1901

http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30240.doc

NEW FILINGS

9/26/03	A03-09-042	GLOBCOM INCORPORATED, for a Certificate of Public Convenience and Necessity to provide Resold and Limited Facilities-Based/UNE-P Local Exchange Telecommunications Services within California. (PUBLIC VERSION).
9/30/03	A03-09-043	NonProfits' United Vehicle Insurance Pool, for an order pursuant to General Order 160-A, deeming its liability insurance in compliance with the requirements of the General Order (1970 Broadway, Suite 1070, Oakland, CA 94612; (800) 442-4742).

PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING

9/29/03	C01-07-034	Mike Knell, dba JTR Publishing vs. Pacific Bell and AT&T, for: (1) an order that defendant replace the defective telephone lines buried in the street to prevent recurring service outages; (2) for a determination of the reason(s) complainant's listings were changed and for assurances that it not happen in the future; (3) for an order that complainant be provided with a single contact person at Pacific Bell and AT&T to deal with billing and service problems, including service outages and listing problems; and
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(4) for an order rescinding Rule 11; **Application for Rehearing of D03-08-025 by Mike Knell, dba JTR Publishing.**

C02-03-060 Anchor Lighting, a General Partnership and Thomas H. Simcox, dba Tommy's On Broadway vs. Southern California Edison Company, for the following orders:
 (1) For a Finding that complainants are - small commercial customers - within the meaning of Public Utilities Code Section 331(h) and are therefore entitled to the 10% Rate Reduction mandated by Public Utilities Code Sections 368(a) and 330(w);
 (2) For a finding that defendant failed to provide such mandated 10% Rate Reduction to complainants, and each of them, and therefore, complainants are entitled to a refund for the difference between the amounts they were actually charged and the amounts they would have been charged if the 10% Rate Reduction has been correctly applied; **Application for Rehearing of D03-08-036 by Anchor Lighting and Thomas H. Simcox, dba Tommy's On Broadway.**

DRAFT DECISIONS * PROPOSED DECISIONS * ALTERNATES * PRESIDING OFFICER'S DECISION * ARBITRATOR'S REPORTS

9/30/03	A03-01-034	Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Palos Verdes District;
	A03-01-035	Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Oroville District;
	A03-01-036	Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Selma District; and
	A03-01-037	Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Dominguez District; Proposed Decision of ALJ Thorson.
9/30/03	A02-05-022	Application of Pacific Gas and Electric Company for Authority to Establish Its Authorized rates of return on Common Equity for Electric Utility Operations and Gas Distribution for Test Year 2003. (U 39 M);

Proposed Decision of ALJ Galvin

9/30/03	R95-04-043	Order Instituting Rulemaking on the Commission's Own Motion into Competition for Local Exchange Service; and
	I95-04-044	Order Instituting Investigation on the Commission's Own Motion into Competition for Local Exchange Service; Draft Decision of ALJ Pulsifer.
9/30/03	R95-04-043	Order Instituting Rulemaking on the Commission's Own Motion into Competition for Local Exchange Service; and
	I95-04-044	Order Instituting Investigation on the Commission's Own Motion into Competition for Local Exchange Service; Alternate Draft Decision of Commissioner Lynch.

ADVICE LETTER FILINGS

NONE

MISCELLANEOUS TRANSPORTATION ITEMS

Filings with Consumer Protection and Safety Division

08/11/03	TCP 16864-B	Angel Humberto Sanchez DBA Planet Tours; Mailing Address; 533 E. Palmdale Blvd., #A2; Terminal Address: 5757 Evergreen Ave., Palmdale CA 93552; Tel.No: 661-209-2585; Application filed for Class B Charter-Party authority.
09/22/03	TCP 16883-B	All Starz Limousine Inc., DBA All Starz Limousine; Mailing Address: 536 E. Lincoln Ave., #3, Orange CA 92865; Terminal Address: Same; Tel. No: 714-282-2200; Application filed for Class B Charter-Party authority.

MISCELLANEOUS TELECOMMUNICATION MATTERS

NONE

TABLE OF SUBMISSION DATES FOR THE PRECEDING TWO WEEKS

9/22/03	R.01-10-024	Walwyn - Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development. The issues heard July 21, 2003 – August 18, 2003 are submitted as of September 22, 2003.
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ADJOURNMENTS * RESETTINGS * HEARINGS CONCLUDED

A.02-11-044	Patrick - In the Matter of the Application of SAN GABRIEL VALLEY WATER COMPANY (U337W) for Authority to Increase Rates Charged for Water Service in its Fontana Water Company Division to increase revenues by \$11,573,200 or 39.1% in 2003, \$3,078,400 or 7.3% in 2004, \$3,078,400 or 6.8% in 2005, and \$3,079,900 or 6.4% in 2006, Evidentiary Hearing in Fontana held and no report given
R.95-04-043	Pulsifer - Order Instituting Rulemaking on the Commission's Own Motion into Competition for Local Exchange Service, and
I.95-04-044	Pulsifer - Order Instituting Investigation on the Commission's Own Motion into Competition for Local Exchange Service, Prehearing Conference held and no report given

REMOVALS FROM CALENDAR

NONE

NEW SETTINGS

NONE

LAW AND MOTION

Law and Motion Hearings are held before **Administrative Law Judge Sarah R. Thomas and Peter Allen** at 10:00 a.m. in one of the Commission's San Francisco Office Hearing Rooms, unless otherwise noted. Law and Motion procedures are governed by Resolution ALJ 164. Copies of Resolution ALJ 164 are available from the Commission's Documents Desk (415) 703-1713 or from Central Files (415) 703-2045.

10/6/03	10:00 a.m.	NONE SCHEDULED
10/13/03	10:00 a.m.	NONE SCHEDULED
10/20/03	10:00 a.m.	NONE SCHEDULED

FINAL ORAL ARGUMENTS (FOA)

NONE

HEARINGS

Dates in parentheses following the word "also" are subject to change without notice. The assigned Commissioner's name is listed next to the proceedings as matter of record; the assigned Commissioner may not be present at the hearing.

<i>(PHC) = Prehearing Conference</i>	<i>(WS) = Workshop</i>
<i>(EH) = Evidentiary Hearing</i>	<i>(FPH) = Full Panel Hearing</i>
<i>(PPH) = Public Participation Hearing</i>	<i>(AH) = Arbitration Hearing</i>
<i>(IAM) = Initial Arbitration Meeting</i>	<i>(CA) = Closing Argument</i>
<i>(M) = Mediation</i>	<i>(LM) = Law & Motion</i>
<i>(ECP) = Expedited Complaint Procedure</i>	<i>(OA) = Oral Argument</i>
<i>(OSC) = Order to Show Cause</i>	

10/2/03	10:00 a.m.	(PHC) - Application of Southern California Edison
ALJ Allen	A.00-11-038	Company (U 338-E) for Authority to Institute a Rate
Comr Brown		Stabilization Plan with a Rate Increase and End of
		Rate Freeze Tariffs, and

	A.00-11-056	(PHC) - Emergency Application of Pacific Gas and Electric Company To Adopt a Rate Stabilization Plan, and
	A.00-10-028	(PHC) - Petition of THE UTILITY REFORM NETWORK for Modification of Resolution E-3527, Commission Courtroom, San Francisco
10/2/03 ALJ Thomas Comr Peevey	10:00 a.m. A.03-08-016	(PHC) - In re Application of WORLDCOM, INC. Pursuant to Public Utilities Code Section 853(b) for Exemption from the Requirements of Sections 851 and 854 of the Public Utilities Code With Respect to its Bankruptcy Reorganizations, Commission Courtroom, San Francisco
10/7/03 ALJ Long Comr Wood	10:00 a.m. A.02-12-027	(EH) - Application of SOUTHERN CALIFORNIA GAS COMPANY for authority to update its gas revenue requirement and base rates. (U 904 G), and
	A.02-12-028	(EH) - Application of SAN DIEGO GAS & ELECTRIC COMPANY for authority to update its gas and electric revenue requirement and base rates. (U 902-M), and
	I.03-03-016	(EH) - Order Instituting Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Gas Company and San Diego Gas & Electric Company, Commission Courtroom, San Francisco (also October 8 – 10; October 14 – 17; October 20 – 24; October 27 – 28 and November 12 – 14 at 9:00 a.m.)
10/7/03 ALJ Patrick	1:00 p.m. C.03-06-004	(ECP) - Nancy Cross, Complainant, vs. Comcast Phone of California, LLC, Defendant, Fremont City Hall – Building A 3300 Capitol Avenue, Ohlone Room Fremont, CA
10/8/03 ALJ Brown Comr Brown	10:00 a.m. C.03-07-047	(PHC) - Bruce Anthony and Nancy Ellen von Herrmann, Complainants, vs. Pacific Gas and Electric Company, Defendant, Commission Courtroom, San Francisco

10/8/03 ALJ McKenzie Comr Lynch	10:00 a.m. I.00-03-001	(PHC) – Investigation into the operations and practices of Qwest Communications Corporation, et al. in concerning compliance with Statutes, Commission decisions, and other requirements applicable to the utility’s installation of facilities in California for providing Telecommunications service, Commission Courtroom, San Francisco
10/9/03 ALJ Simon Comr Wood	10:00 a.m. A.02-01-031	(PHC) - Application of the Santa Clara Valley Transportation Authority for an order approving safety appliances to be used at the at-grade crossings of Sunol Street (82D-4.1) and Auzerais Avenue (82D-4.2) by the light rail transit line of the Vasona Light Rail Project in the City of San Jose, County of San Clara, Commission Courtroom, San Francisco
10/10/03 ALJ Thorson Comr Brown	10:00 a.m. A.03-01-034	(PHC) - Application of California Water Service Company (U 60 W) for an Order Authorizing it to increase Rates for Water Service in its Palos Verdes District, and
	A.03-01-035	(PHC) - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Oroville District, and
	A.03-01-036	(PHC) - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Selma District, and
	A.03-01-037	(PHC) - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Dominguez District, Commission Courtroom, San Francisco
10/10/03 ALJ O’Donnell Comr Brown	10:00 a.m. R.03-03-017	(PHC) - Order Instituting Rulemaking on the Commission’s own Motion to re-examine the underlying issues involved in the submetering discount for mobile home parks and to stay D.01-08-040, and

	I.03-03-018	(PHC) - Order Instituting Investigation on the Commission's own Motion to re-examine the underlying issues involved in the submetering discount for mobile home parks and to stay D.01-08-040, and
	C.00-01-017	(PHC) - Robert Hambly, for Himself and, On Behalf of the Residents of Los Robles Mobilehome Park, Complainant, vs. Hillsboro Properties, a California Limited Partnership, and the City of Novato, Defendants, Commission Courtroom, San Francisco
10/14/03 ALJ Brown Comr Peevey	10:00 a.m. A.03-07-032	(EH) - In the Matter of the Application of SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) for Approval of a Power Purchase Agreement under PUHCA Section 32(k) Between the Utility and a Wholly-Owned Subsidiary and for Authority to Recover the Costs of Such Power Purchase Agreement in Rates, Commission Courtroom, San Francisco (Also October 15 – 17 and October 20 – 24)
10/15/03 ALJ Grau Comr Brown	10:00 a.m. C.03-05-023	(EH) - Raw Bandwidth Communications, Inc., Complainant, vs. SBC California, Inc. (U-1001-C), SBC Advanced Solutions, Inc. (U-6346-C), and Does 1-10, Defendants, Commission Courtroom, San Francisco
10/16/03 ALJ Thomas Comr Brown	10:00 a.m. C.03-07-031	(PHC) - Pacific Gas and Electric Company (U 39 G), Complainant, v. Calpine Corporation; CPN Pipeline Company; Calpine Energy Services, L.P., Calpine Natural Gas Company; Lodi Gas Storage, LLC; and Does 1-10, Defendants, Commission Courtroom, San Francisco
10/16/03 ALJ Walker Comr Brown	10:00 a.m. I.03-09-030	(OSC) - Investigation on the Commission's own motion into the Santa Clara Valley Transportation Authority's refusal to file an application for the widening of I-880 over the Authority's light rail line at North First Street in the City of San Jose, California, as required by California Public Utilities Code Sections 1201 et seq. and 99152, and Order to Show Cause why the Authority should not be ordered to file an application for Commission approval, Commission Courtroom, San Francisco

10/22/03	2:00 p.m.	(PHC) - Application of Southern California Edison Company (U 338-E) For Authority to, Among Other Things, Increase Its Authorized Revenues For Electric Service in 2003, And to Reflect That Increase in Rates, and
ALJ Barnett	A.02-05-004	
Comr Wood		
	I.02-06-002	(PHC) - Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Edison Company, Commission Courtroom, San Francisco
	(PHASE 2)	
10/24/03	10:00 a.m.	(ECP) - Thomas B. Webb, Complainant, vs. Southern California Edison Company, Defendant, Palm Desert Public Library – Seminar Room 73300 Fred Waring Drive Palm Desert, CA
ALJ Barnett	C.03-09-009	
10/24/03	10:00 a.m.	(PHC) - Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development. (PHC on SDG&E Motion/Calpine Issues), Commission Courtroom, San Francisco
ALJ Walwyn	R.01-10-024	
Comr Peevey		
10/24/03	11:00 a.m.	(ECP) - Martin Lax, Complainant, vs. AT & T Communications of California, Inc., Defendant, Palm Desert Public Library – Seminar Room 73300 Fred Waring Drive Palm Desert, CA
ALJ Barnett	C.03-07-041	
10/27/03	9:00 a.m. –	(EH) - Application of California Water Service Company (U 60 W) for an Order Authorizing it to increase Rates for Water Service in its Palos Verdes District, and
ALJ Thorson	3:00 p.m.	
Comr Brown	A.03-01-034	
	A.03-01-035	(EH) - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Oroville District, and
	A.03-01-036	(EH) - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Selma District, and

	A.03-01-037	(EH) - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Dominguez District, Commission Courtroom, San Francisco (also October 28 - 31)
10/27/03 ALJ Allen Comr Brown	10:00 a.m. A.00-11-038	(EH) - Application of Southern California Edison Company (U 338-E) for Authority to Institute a Rate Stabilization Plan with a Rate Increase and End of Rate Freeze Tariffs, and
	A.00-11-056	(EH) - Emergency Application of Pacific Gas and Electric Company To Adopt a Rate Stabilization Plan, and
	A.00-10-028	(EH) - Petition of THE UTILITY REFORM NETWORK for Modification of Resolution E-3527, Commission Courtroom, San Francisco (also October 28 – 31 and November 3 – 4)
10/27/03 ALJ Barnett	1:00 p.m. C.03-06-024	(ECP) - Mark Tzalka, Complainant, vs. Southern California Gas Company, Defendant, Commission Courtroom, State Office Building 320 West 4th Street, Conference Room A Los Angeles, CA
10/28/03 ALJ Patrick	10:00 a.m. C.03-09-017	(ECP) - Maclyn Erickson, Complaint, vs. Southern California Edison Company, Defendant, Department of Transportation, District 5 Sycamore Room 50 Higuera Street San Luis Obispo, CA
10/29/03 ALJ Malcolm Comr Peevey	9:30 a.m. R.03-09-007	(PHC and WS) - Order Instituting Rulemaking to Implement Portions of AB 117 Concerning Community Choice Aggregation, Commission Courtroom, San Francisco
10/29/03 ALJ Barnett Comr Wood	10:00 a.m. A.02-05-004	(EH) - Application of Southern California Edison Company (U 338-E) For Authority to, Among Other Things, Increase Its Authorized Revenues For Electric Service in 2003, And to Reflect That Increase in Rates, and

	I.02-06-002 (PHASE 2)	(EH) - Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Edison Company, Commission Courtroom, San Francisco (also October 30 – 31; November 3 – 7; November 10 – 14; and November 17 – 21)
10/29/03 ALJ Walker Comr Kennedy	10:00 a.m. A.02-07-021	(PHC) - In the Matter of the Application of Southern California Water Company (U 133 W) for an Order pursuant to Public Utilities Code Section 851 Approving a Settlement Agreement that will Convey Water Rights in the Culver City Customer Service Area, Commission Courtroom, San Francisco
10/29/03 ALJ McVicar Comr Peevey	2:00 p.m. A.03-03-029	(PHC) - In the Matter of the Application of San Diego Gas & Electric Company for Authority to Make Various Electric Rate Design Changes, Close Certain Rates, and Revise Cost Allocation Among Customer Classes Effective, January 1, 2004 (U 902-E), Commission Courtroom, San Francisco
10/30/03 ALJ Bushey Comr Kennedy	10:30 a.m. C.03-02-003	(PHC) - Oakland Unified School District, Complainant, vs. TCG San Francisco (U-5454-C), and AT&T Communications of California (U-5002-C), Defendants, Commission Courtroom, San Francisco
11/3/03 ALJ McVicar Comr Peevey	10:00 a.m. A.03-03-029	(EH) - In the Matter of the Application of San Diego Gas & Electric Company for Authority to Make Various Electric Rate Design Changes, Close Certain Rates, and Revise Cost Allocation Among Customer Classes Effective, January 1, 2004 (U 902-E), Commission Courtroom, San Francisco (also November 4 – 7; and November 10; November 12 – 14)
11/3/03 ALJ DeUlloa Comr Brown	10:00 a.m. A.03-06-040	(EH) - In the Matter of the Application of SOUTHERN CALIFORNIA GAS COMPANY In Compliance with Resolution G-3334 For a System of Firm, Tradable Receipt Point Capacity Rights and Related Provisions (U 904 G), Commission Courtroom, San Francisco (also November 4 – 7)

11/5/03 ALJ Vieth Comr Wood	2:00 p.m. I.02-06-003	(OA) - Investigation on the Commission's own motion into the operations, practices, and conduct of Pacific Bell Wireless LLC dba Cingular Wireless, U-3060, U-4135 and U-4314, and related entities (collectively "Cingular") to determine whether Cingular has violated the laws, rules and regulations of this State in its sale of cellular telephone equipment and service and its collection of an Early Termination Fee and other penalties from consumers, Commission Courtroom, San Francisco
11/6/03 ALJ Simon Comr Brown	10:00 a.m. C.02-11-011	(PHC) - Telscape Communications, Inc. (U-6589-C), Complainant, vs. Pacific Bell Telephone Company (U-1001-C), Defendant, Commission Courtroom, San Francisco
11/17/03 ALJ Simon Comr Brown	9:00 a.m. C.02-11-011	(EH) - Telscape Communications, Inc. (U-6589-C), Complainant, vs. Pacific Bell Telephone Company (U-1001-C), Defendant, Commission Courtroom, San Francisco (also November 18 - 21)
11/17/03 ALJ McKenzie Comr Wood	10:00 a.m. C.92-04-007	(EH) - Communications Workers of America, Local 9415, Kathleen Kinchius, President, Complainant, vs. Pacific Bell, (U 1001 C), Defendant, Commission Courtroom, San Francisco (also November 18)
11/18/03 ALJ Walker Comr Kennedy	10:00 a.m. A.03-05-039	(EH) - Application for Ex Parte Approval of an Interim Alternative Plan for Protection of the Public Pursuant to General Order 120-C, Sections 3(E) and 6, and
	P.03-05-040	(EH) - Petition to Adopt, Amend, or Repeal a Regulation Pursuant to Pub. Util. Code Section 1708.5, Commission Courtroom, San Francisco (also November 19 – 21)

11/18/03	2:00 p.m.	(PPH) - In the Matter of the Application of Pacific Gas and Electric Company (U 39 E) for a Certificate of Public Convenience and Necessity Authorizing the Construction of the Jefferson-Martin 230 kV Transmission Project., San Mateo City Hall Council Chamber 330 West 20th Avenue San Mateo, CA
ALJ TerKeurst	A.02-09-043	
Comr Lynch		
11/18/03	7:00 p.m.	(PPH) - In the Matter of the Application of Pacific Gas and Electric Company (U 39 E) for a Certificate of Public Convenience and Necessity Authorizing the Construction of the Jefferson-Martin 230 kV Transmission Project., War Memorial Building San Bruno Recreation Center Meeting Room A/B Crystal Springs Ave @ Oak Ave San Bruno, CA
ALJ TerKeurst	A.02-09-043	
Comr Lynch		
11/19/03	10:00 a.m.	(PHC) - Order Instituting Rulemaking to Review Policies Concerning Intrastate Carrier Access Charges, Commission Courtroom, San Francisco
ALJ Malcolm	R.03-08-018	
Comr Peevey		
11/24/03	12:00 noon	(ECP) – Continental Building Control Systems, Inc., Complainant, vs. Allegiance Telecom of California, Inc., Defendant, Commission Courtroom, State Office Building 320 West 4th Street, Suite 500 Los Angeles, CA
ALJ Barnett	C.03-09-041	
11/26/03	2:00 p.m.	(PHC) - Enron Energy Services, Inc. and Enron Energy Marketing Corp., Complainants, vs. Pacific Gas and Electric Company, Defendant, and
ALJ Barnett	C.01-01-032	
Comr Wood		
	C.01-01-051	(PHC) - Aps Energy Services Company, Inc., Complainant, vs. Pacific Gas And Electric Company, Defendant, and
	C.01-09-011	(PHC) - Enron Energy Services, Inc. and Enron Energy Marketing Corp., Complainants, vs. Pacific Gas and Electric Company, Defendant, Commission Courtroom, San Francisco

12/4/03 ALJ Terkeurst Comr Lynch	9:00 a.m. A.02-09-043	(EH) - In the Matter of the Application of Pacific Gas and Electric Company (U 39 E) for a Certificate of Public Convenience and Necessity Authorizing the Construction of the Jefferson-Martin 230 kV Transmission Project, Commission Courtroom, San Francisco (also December 5 and December 8 – 10) (Note: December 8 at 10:00 a.m. and the remaining days at 9:00 a.m.)
12/4/03 ALJ Grau Comr Brown	2:00 p.m. R.03-09-029	(PHC) - Order Instituting Rulemaking Regarding Cost Responsibility Surcharges for County and Municipal Water Districts Which Generate Their Own Electricity Pursuant To SB 1755, Commission Courtroom, San Francisco
12/9/03 ALJ Brown Comr Brown	10:00 a.m. A.03-02-027	(EH) - Application of SFPP, LP pursuant to Commission Resolution No. 0-0043 issued October 24, 2002, Commission Courtroom, San Francisco (also December 10 - 12)
1/12/04 ALJ Fukutome Comr Lynch	10:00 a.m. A.03-05-035	(EH) - In the Matter of the Application of SAN JOSE WATER COMPANY (U 168 W) for an Order authorizing it to increase rates charged for water service by \$25,793,000 or 18.20% in 2004; by \$5,434,000 or 3.24% in 2005; and by \$5,210,000 or 3.01% in 2006, Commission Courtroom, San Francisco (Also January 13 - 16)
1/12/04 ALJ Walker Comr Brown	4:00 p.m. & 7:00 p.m. A.01-10-047	(PPH) - In the Matter of the Application of the City of Oxnard for Authorization to construct Camino Del Sol, a public street, across the railroad tracks of the Union Pacific Railroad Company in the City of Oxnard, County of Ventura, Oxnard City Hall Council Chamber 305 West 3rd Street Oxnard, CA

1/13/04 ALJ Walker Comr Brown	9:00 a.m. A.01-10-047	(EH) - In the Matter of the Application of the City of Oxnard for Authorization to construct Camino Del Sol, a public street, across the railroad tracks of the Union Pacific Railroad Company in the City of Oxnard, County of Ventura, Oxnard City Hall Council Chamber 305 West 3rd Street Oxnard, CA (also January 14 - 16)
1/26/04 ALJ Simon Comr Kennedy	9:00 a.m. A.03-01-013	(EH) - Application of the Pasadena Avenue Monterey Road Committee for variance of General Order 143B and authority to explore and enter into negotiations for consideration and implementation pursuant to Public Utilities Code (PUC) §§ 1202, 7604 as a pilot project as permitted by SB 1491, Commission Courtroom, San Francisco (also January 27 - 30)
1/26/04 ALJ Malcolm Comr Lynch	10:00 a.m. A.02-07-050	(EH) - In the Matter of the Application of SBC Pacific Bell Telephone Company (U 1001 C), a corporation, for Authority to Categorize Local DA Service as a Category III Service, Commission Courtroom, San Francisco (January 27 – 30 and February 2 – 3)
2/9/04 ALJ Malcolm Comr Lynch	10:00 a.m. A.03-07-036	(EH) - In the Matter of the Application of California American Water Company (U 210 W) for an order authorizing it to increase its rates for water service in its Los Angeles Division to increase revenues by \$1,354,500 or 7.56% in the year 2004, \$842,100 or 4.86% in the year 2005, and \$1,052,000 or 5.22% in 2006, Commission Courtroom, San Francisco (Also February 10 – 11 and February 23 – 24)
2/23/04 ALJ Duda Comr Peevey	9:30 a.m. R.93-04-003	(EH) - Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services and Establish A Framework for Network Architecture Development of Dominant Carrier Networks, and

	I.93-04-002 (Verizon UNE Phase)	(EH) - Investigation on the Commission's Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks, Commission Courtroom, San Francisco (also February 24 – 27)
2/23/04 ALJ Walker Comr Brown	10:00 a.m. C.02-07-044	(EH) - The Utility Consumers' Action Network (UCAN), Complainant, v. Pacific Bell Telephone Company, AOL-Time Warner, Inc., Does 1-100, Defendants, Commission Courtroom, San Francisco (also February 24 – 27)
3/1/04 ALJ TerKeurst Comr Lynch	10:00 a.m. I.02-11-040	(EH) - Order Instituting Investigation into the Gas Market Activities of Southern California Gas Company, San Diego Gas and Electric, Southwest Gas, Pacific Gas and Electric, and Southern California Edison and their impact on the Gas Price Spikes experienced at the California Border from March 2000 through May 2001, and
	I.03-02-033	(EH) - Order Instituting Investigation Whether San Diego Gas & Electric Company, Southern California Gas Company and Their Holding Company, Sempra Energy, Respondents, Have Complied With Relevant Statutes and Commission Decisions, Pertaining to Respondents' Holding Company Systems and Affiliate Activities, Commission Courtroom, San Francisco (also March 2 – 5; March 8 – 12; March 15 – 19; and March 22 - 26)

NOTICE OF DENIAL OF REQUEST FOR EX PARTE MEETING

*On September 20, 1996, the Commission adopted Resolution ALJ 169 regarding the "Filing of Notice of Denial of Request for Ex Parte Meeting." The resolution implements an interim procedure whereby a party whose written request for an ex parte meeting with a Commissioner has been denied will be allowed to file a notice of such denial. Copies of Resolution ALJ 169 are available from the Commission's Central Files Office at 505 Van Ness Avenue, Room 2002, San Francisco; telephone (415) 703-2045. **Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.***

NONE

NOTICE OF ALL-PARTY MEETINGS (PU Code § 1701.3(c))

All-Party Meeting – R00-02-004

October 8, 2003
1 pm – 4 pm

California Public Utilities Commission
505 Van Ness Avenue, Hearing Room E
San Francisco

There will be an all-party continuation meeting with Commissioners Geoffrey F. Brown and Susan P. Kennedy regarding R00-02-004 Proposed Consumer Protection Rules. The Commissioners wish to review with parties each proposed rule. All parties are invited to attend. Commissioners Brown and Kennedy will not meet individually on this matter. All participants must provide the names of individuals who will be participating, their affiliation, and telephone/fax number to be reached in the event of changes to this meeting. Please contact Vana White at (415) 703-1407 or e-mail her at vfw@cpuc.ca.gov NO LATER than the end of business on Tuesday, October 7, 2003, so that there is adequate time to advise the Commissioner's office of the attendees.

NOTICE OF EX PARTE COMMUNICATIONS

Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.

9/25/03 A02-05-004 Southern California Edison Company (U 338-E), for Authority to Increase, among other things, its Authorized Revenues for Electric Service in 2003, and to Reflect that Increase in Rates.

Summary: On September 22, 2003, Marc Joseph, attorney for the Coalition of California Utility Employees (CUE), met with Cmmr. Wood in San Francisco. Also present were Steven Weissman and Manuel Ramirez, advisors to Cmmr. Wood, and Bruce Foster and John Hughes from Southern California Edison Company (SCE). Written material (attached to the notice) was used. Joseph stated that CUE and SCE had reached a compromise on reliability and employee safety performance incentives.

Filer: Coalition of California Utility Employees

Contact: Bonnie Heeley

Phone: (650) 589-1660

9/25/03 A02-05-004 Southern California Edison Company (U 338-E), for

Authority to Increase, among other things, its Authorized Revenues for Electric Service in 2003, and to Reflect that Increase in Rates.

I02-06-002 Investigation on the Commission's own motion into the rates, operations, practices, services and facilities of Southern California Edison Company.

Summary: LATE FILED. On September 21, 2003, Bruce Foster Vice President of Regulatory Operations, Southern California Edison Company (SCE), met with Cmmr. Wood in San Francisco. Also present were Steven Weissman and Manuel Ramirez, advisors to Cmmr. Wood, John P. Hughes, Manager, Regulatory Operations, SCE, and Marc Joseph, attorney for the Coalition of California Utility Employees (CUE). Written materials (attached to the notice) were used. Foster discussed the Compromise Proposal of CUE and SCE on service reliability and safety mechanisms. Foster noted that the penalty/reward dollar bands on the performance measures are similar to the measures currently in effect. The SCE's representatives discussed the proposed disallowances in the 2003 General Rate Case (GRC). Foster stressed that the Commission should ignore the ORA's recommended utility plant disallowances since SCE recorded more plant closings in 2002 than it had originally forecasted in the GRC. The SCE discussed the need to recognize removal costs or negative salvage associated with the aging infrastructure. Foster said that the proposals of TURN and ORA simply do not reflect the reality of increasing removal costs. The SCE discussed Employee Compensation levels, stating that the independent consultant study in this GRC showed that SCE's overall compensation levels were within a reasonable range. SCE discussed the post test year ratemaking requests for 2004 and 2005. Hughes stated that SCE's requested amount is needed if the company is to continue its infrastructure replacement program.

Filer: Southern California Edison Company

Contact: Henry Romero

Phone: (626) 302-4124

9/25/03	A02-11-017	Pacific Gas and Electric Company, for authority, among other things, to increase revenue requirements for electric and gas service and to increase rates and charges for gas service effective January 1, 2003.
	I03-01-012	Commission Order Instituting Investigation into the Rates, Operations, Practices, Service and Facilities of Pacific Gas and Electric Company.
	A02-09-005	Pacific Gas and Electric Company (U 39-E), pursuant to Resolution E-3770 for Reimbursement of Costs associated with delay in implementation of its New Customer Information System caused by the 2002 20/20 customer rebate program.

Summary: On September 23, 2003, Marc Joseph, attorney for the Coalition of California Utility Employees (CUE), met with Cmmr. Peevey in San Francisco. Also present were Julie Fitch, advisor to Cmmr. Peevey, and Art Carter, representing CUE.

Written material (attached to the notice) was used. Joseph stated that CUE and Pacific Gas and Electric Company (PG&E) had reached a compromise on reliability performance incentives. Joseph stated that PG&E's reliability was bad and that average response time was getting worse. Joseph noted that PG&E was not subject to any existing reliability performance incentives and that CUE/PG&E proposal would require PG&E to meet increasingly stringent reliability benchmarks, and would be subject to rewards or penalties based on its performance. Joseph also described the additional revenue to be placed on a one-way balancing account to enable PG&E to meet the more stringent benchmarks, and how the proposal would return this money to ratepayers if PG&E's reliability does not improve.

Filer: Coalition of California Utility Employees

Contact: Bonnie Heeley

Phone: (650) 589-1660

9/26/03	A99-04-024	Southern California Edison Company, for authority to recover capital additions to its fossil generating facilities made between January 1, 1997 and March 31, 1998 or the date of divestiture for those generating facilities divested by July 8, 1998 and related substantive and procedural relief.
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Summary: On September 25, 2003, Robert Finkelstein, attorney for The Utility Reform Network (TURN), met with Aaron Johnson, advisor to Cmmr. Lynch, in San Francisco. Finkelstein discussed the ratemaking treatment of the cost recovery of the capital additions, including how it differed for projects at plants that sold for less than book value as compared to those that sold for more than book value. Finkelstein pointed out that Edison's arguments seeking the justify the Proposed Decision's outcome of full cost recovery based on the role these plants may have served during the energy crisis of 2000/01 was the very type of after-the-fact analysis of reasonableness that the utility would be the first to complain of were TURN to make such an argument. Finkelstein discussed the two over-arching cost recovery criteria applicable to these projects – reasonableness, and 'necessary to maintain' as that phrase is used in Section 367(c). Finkelstein stated that whether or not the Commission determines that 'necessary to maintain' is still a relevant criterion, the utility still must demonstrate that each project was 'reasonable' before the Commission can approve cost recovery. Finkelstein also noted that the determination of reasonableness would not necessarily require a project-by-project review, but rather the adoption of appropriate criteria for determining cost-effectiveness.

Filer: The Utility Reform Network

Contact: Katharina Mack

Phone: (415) 929-8876

9/26/03	A01-02-024	AT&T Communications of California, Inc. and WorldCom, Inc., for the Commission to reexamine the recurring costs and prices of unbundled switching in its first annual review of unbundled network element costs pursuant to Ordering Paragraph 11 of D99-11-050.
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A01-02-035	AT&T Communications of California, Inc. and WorldCom, Inc., for the Commission to reexamine the recurring costs and prices of unbundled loops in its first annual review of unbundled network element costs pursuant to Ordering Paragraph 11 of D.99-11-050.
A02-02-031	Telephone Connection Local Services, LLC (U5522-C), for the Commission to Reexamine the Recurring Costs and Prices of the DS-3 Entrance Facility Without Equipment in its Second Annual Review of Unbundled Network Element Costs pursuant to Ordering Paragraph 11 of D99-11-050.
A02-02-032	AT&T Communications of California, Inc. and WorldCom, Inc., for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Interoffice Transmission Facilities and signaling Networks and Call-Related Databases in its Second Annual Review of Unbundled Network Element Costs pursuant to Ordering Paragraph 11 of D99-11-050.
A02-02-034	Pacific Bell Telephone Company (U 1001 C), for the Commission to Re-Examine the Costs and Prices of the Expanded Interconnection Service Cross-Connect Network Element in the Second Annual Review of Unbundled Network Element Costs pursuant to D99-11-050.
A02-03-002	XO California, Inc. (U 5553 C), for the Commission to Re-Examine the Recurring Costs of DS1 and DS3 Unbundled Network Element Loops provided by Pacific Bell Telephone Company, as and for the Commission's Second Triennial Review of Recurring Unbundled Network Element Costs pursuant to Ordering Paragraph 11 of D99-11-050.

Summary: On September 24, 2003, Rose Johnson, Regulatory Affairs Vice President, AT&T Communications of California, Inc. (AT&T) met with Lester Wong, advisor to Pres. Peevey, and Tim Sullivan, advisor to Cmmr. Kennedy, in two separate meetings in San Francisco. Also present was David Miller, Senior Attorney, for AT&T. Written materials (redacted version attached to the notice) were used. The complete non-redacted attachment is filed under seal concurrently, with motions to file under seal. AT&T representatives urged the Commission to adopt the cost model proposed by Joint Applicants.

Filer: AT&T Communications of California, Inc.

Contact: Doretta Dea

Phone: (415) 442-2985

9/26/03	R01-09-001	Order instituting rulemaking on the Commission's own motion to assess and revise the new Regulatory
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	Framework for Pacific Bell and Verizon California Incorporated.
I01-09-002	Order instituting investigation on the Commission's own motion to assess and revise the New Regulatory Framework for Pacific Bell and Verizon California Incorporated.

Summary: LATE FILED. On September 17, 2003, Robert Finkelstein, attorney for The Utility Reform Network (TURN), participated in an all-party meeting with Cmmr. Wood in San Francisco. Also present were Tom Long, advisor to Cmmr. Lynch, Jonathan Lakritz, advisor to Cmmr. Wood, Robert Wullenjohn, advisor to Cmmr. Brown, Tim Sullivan, advisor to Cmmr. Kennedy, Karen Miller and Paul King of the Telecommunications Division, Mary Evans of the Public Advisor Officer, Natalie Wales and Darwin Farrar, counsel, and Dale Piiru, for the Office of Ratepayer Advocates, Patrick Thompson of Pillsbury Winthrop, Yvette Hogue, and James Young, for Pacific Bell Telephone Company, Randolph Deutsch, counsel for AT&T, and Jennie Wong and Elaine Duncan, for Verizon California Inc. Finkelstein expressed TURN's support for the Lynch/Wood alternate, and noted that it addressed many of the problems that TURN had identified with the Kennedy/Peevey alternate.

Filer: The Utility Reform Network

Contact: Katharina Mack

Phone: (415) 929-8876

Summary: On September 23, 2003, Chuck Smith, President and Chief Executive Officer – SBC West, met with Cmmr. Brown and Cmmr. Peevey in two separate meetings in San Francisco. At the meeting with Cmmr. Peevey also present was Lester Wong, advisor to Cmmr. Peevey. Lora Watts, President External Affairs, Susan Johnson, Vice President Finance, and James Young, General Attorney and Assistant General Counsel, for SBC West, and Cynthia Marshall, Senior Vice President Regulatory and Constituency Relations - Pacific Bell Telephone Company (SBC California), participated in both meetings. Written materials (attached to the notice) were used. SBC California made the following points: Overland's audit was unprofessional and a fair audit would have found minimal accounting errors. SBC California argued that both sets of proposed decisions (PDs) are flawed with legal and factual errors, however, the alternates of Cmmr. Kennedy are a significant improvement over the ALJs' PDs. SBC California stated that allegations of 'misreporting' and disregard for clear rules are simply not true. SBC California noted that the outcome of the VEBA issue causes great concern and must be corrected; refunds to ratepayers are inappropriate and would have serious financial implications. SBC California indicated further that corrections for factual and legal errors in the PDs and alternates are required.

Filer: Pacific Bell Telephone Company

Contact: Claudia Barros

Phone: (415) 542-3820

9/26/03	R01-10-024	Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development.
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Summary: On September 23, 2003, Nancy Rader, Executive Director of California Wind Energy Association (CalWEA), met with Julie Fitch, advisor to Pres. Peevey, in San Francisco. Also present were Aaron Johnson, advisor to Cmmr. Lynch, David Gamson, advisor to Cmmr. Brown, Brian Prusnek, advisor to Cmmr. Kennedy, and Joseph Karp of White & Case LLP, attorney for CalWEA. CalWEA representatives discussed its concerns regarding the most recent request for proposals (RFP) issued by Southern California Edison Company. CalWEA representatives stated that a number of terms in the RFP do not comply with the most recent Assigned Commissioner's Ruling and D03-06-071. CalWEA representatives cautioned the Commission not to evaluate whether the RFP is successful merely based on the number of bids submitted or based on whether contracts are signed, given that projects may not be completed or that the price may be higher than otherwise due to onerous terms imposed in the RFP. Lastly, CalWEA representatives urged the Commission to take action prior to October 5, 2003, the new deadline to submit bids.

Filer: California Wind Energy Association

Contact: Enoch H. Chang

Phone: (415) 544-1100

9/26/03	A03-08-002	Pacific Gas and Electric Company and Redevelopment Agency of the City of Union City, for an order authorizing the sale and conveyance of a certain parcel of land in Alameda County pursuant to Public Utilities Code Section 851.
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Summary: LATE FILED. On September 16, 2003, Mark Evanoff, Redevelopment Agency Manager, Community Redevelopment Agency of the City of Union City, sent to ALJ Thomas a copy of his letter (copy attached to the notice) to Brewster Fong of the Office of Ratepayer Advocates. The letter identifies the hardships that would be created for the Community Redevelopment Agency if the land sale were delayed.

Filer: City of Union City

Contact: Mark Evanoff

Phone: (510) 471-3232
